

City Of Peoria

Report 02/18/2011 16:33

Incident Report

Case # 01-11-002304

I N C I D E N T	Case #	Report	Occurred From	Occurred To	Report Type
	01-11-002304	02/18/2011 16:33	01/01/2011 00:00	02/18/2011 00:00	Original
	Dept. Classification		Case Status	Case Status Date	Cleared
	Molest/DV		Pending	02/18/2011	
	Location Information				
CONDE RESIDENCE - 15 [REDACTED] N 91ST LN PEORIA, AZ 85381 (Maricopa County)					
Day of Week : Saturday Dispatched : 02/18/2011 16:37 Arrived : 02/18/2011 16:38 Map Reference : G10 User Defined Table 1 : Felony User Defined Table 2 : VR Only TBM User Defined Table 3 : No Location Type : Residence/House					
District : 50 Beat Assignment : Beat 52 Alcohol Related : Unknown Drug Related : Unknown Total Damaged Property Value : \$0.00 Total Stolen Property Value : \$0.00 Total Recovered Property Value : \$0.00					

O F F E N S E 1	State Classification		Attempted/Committed
	DV/Molest		Committed
	Statute/Ordinance	Location Type	Disposition Date
	13-1410A	Residence/House	02/18/2011
Federal Classification : NA		Where Exit : na	
Weapon 1 : Not Applicable		Forced Entry : NA	
Weapon 2 : Not Applicable		# of Premises : 01	
Weapon 3 : Not Applicable		Evidence Collected : No	
How Entry : NA		Federal Disposition : Pending	
Where Entry : NA		# of People Arrested : 00	

P E R S O N 1	[REDACTED]			
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P E R S O N 2	Person Type	Business/Person Name		Business Phone
	Suspect/Arrestee	Richard Alan Murphy		[REDACTED]
	Home Phone	Person Address		Map Reference
	[REDACTED]	Use Address from Incident Location Information		
	Other Phone	Employer Address		Map Reference
	[REDACTED]	[REDACTED]		
Race	Sex	SSN	DL Exp. Date	DL Number
White	Male	[REDACTED]	[REDACTED]	[REDACTED]
Birth Date	Birth Location			
[REDACTED]				

Reporting Officer	Department	Report Status:
ROBERT MILLER [REDACTED]	PEORIA POLICE DEPARTMENT	Approved
Officer Name	Date/Time	
Verifying Officer	Department	Date / Time
WOOC W Jobe [REDACTED]		02/19/2011 23:15

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Age : [REDACTED]	Shirt : Green
DL State : AZ	Pants : Blue shorts
Ethnic Origin : Non-Hispanic	Hair Color : Brown
Min. Height : 5'07"	Hair Length : Short
Max. Height : 5'07"	Eye Color : Brown
Min. Weight : 155 lbs	Build : Medium
Max. Weight : 155 lbs	Alias Info : Rick
Adult/Juvenile : Adult	

P E R S O N 3	Person Type Other Person	Business/Person Name Penny Raye Murphy			Business Phone
	Home Phone [REDACTED]	Person Address Use Address from Incident Location Information			Map Reference
	Other Phone	Employer Address			Map Reference
	Race White	Sex Female	SSN [REDACTED]	DL Exp. Date	DL Number [REDACTED]
	Birth Date [REDACTED]	Birth Location			
	Age : [REDACTED] Max. Height : 5'06" DL State : AZ Min. Weight : 165 lbs Ethnic Origin : Non-Hispanic Max. Weight : 165 lbs Min. Height : 5'06" Adult/Juvenile : Adult				

P E R S O N 4	Person Type Other Person	Business/Person Name [REDACTED]			Business Phone
	Home Phone [REDACTED]	Person Address Use Address from Incident Location Information			Map Reference
	Other Phone	Employer Address			Map Reference
	Race White	Sex Female	SSN [REDACTED]	DL Exp. Date	DL Number
	Birth Date [REDACTED]	Birth Location			
	Age : [REDACTED] Min. Weight : 100 lbs Ethnic Origin : Hispanic Max. Weight : 100 lbs Min. Height : 5'04" Adult/Juvenile : Juvenile Max. Height : 5'04"				

P E R S O N 5	Person Type Other Person	Business/Person Name [REDACTED]			Business Phone
	Home Phone [REDACTED]	Person Address Use Address from Incident Location Information			Map Reference
	Other Phone	Employer Address			Map Reference
	Race White	Sex Female	SSN [REDACTED]	DL Exp. Date	DL Number
	Birth Date [REDACTED]	Birth Location			
	Age : [REDACTED] Min. Weight : 80 lbs Ethnic Origin : Hispanic Max. Weight : 100 lbs Min. Height : 5'00" Adult/Juvenile : Juvenile Max. Height : 5'04"				

Reporting Officer ROBERT MILLER [REDACTED]	Department PEORIA POLICE DEPARTMENT	Report Status: Approved
Officer Name		Date/Time
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P E R S O N 6	Person Type Other Person	Business/Person Name [REDACTED]			Business Phone
	Home Phone [REDACTED]	Person Address Use Address from Incident Location Information			Map Reference
	Other Phone	Employer Address			Map Reference
	Race White	Sex Male	SSN	DL Exp. Date	DL Number
	Birth Date [REDACTED]	Birth Location			
	Age : [REDACTED] Ethnic Origin : Hispanic Min. Height : 5'08" Max. Height : 5'11" Min. Weight : 140 lbs Max. Weight : 160 lbs Adult/Juvenile : Juvenile				

P E R S O N 7	Person Type Other Person	Business/Person Name [REDACTED]			Business Phone
	Home Phone [REDACTED]	Person Address Use Address from Incident Location Information			Map Reference
	Other Phone	Employer Address			Map Reference
	Race White	Sex Female	SSN	DL Exp. Date	DL Number
	Birth Date [REDACTED]	Birth Location			
	Age : [REDACTED] Ethnic Origin : Hispanic Min. Height : 2'00" Max. Height : 2'00" Min. Weight : 35 lbs Max. Weight : 40 lbs Adult/Juvenile : Juvenile				

P E R S O N 8	Person Type Other Person	Business/Person Name [REDACTED]			Business Phone
	Home Phone [REDACTED]	Person Address Use Address from Incident Location Information			Map Reference
	Other Phone	Employer Address			Map Reference
	Race White	Sex Female	SSN	DL Exp. Date	DL Number
	Birth Date [REDACTED]	Birth Location			
	Age : [REDACTED] Ethnic Origin : Hispanic Min. Height : 5'04" Max. Height : 5'06" Min. Weight : 95 lbs Max. Weight : 100 lbs Adult/Juvenile : Juvenile				

P E R S O N 9	Person Type Other Person	Business/Person Name Ricky Murphy			Business Phone
	Home Phone [REDACTED]	Person Address Use Address from Incident Location Information			Map Reference
	Other Phone	Employer Address			Map Reference
	Race White	Sex Male	SSN	DL Exp. Date	DL Number
	Birth Date [REDACTED]	Birth Location			

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Age : 15	Min. Weight : 130 lbs
Ethnic Origin : Hispanic	Max. Weight : 150 lbs
Min. Height : 5'08"	Adult/Juvenile : Juvenile
Max. Height : 5'11"	

P E R S O N 10	Person Type Other Person	Business/Person Name Barbara Murphy			Business Phone
	Home Phone	Person Address			Map Reference
	Other Phone	Employer Address			Map Reference
	Race White	Sex Female	SSN	DL Exp. Date	DL Number
	Birth Date	Birth Location			
	Age : DL State : AZ Ethnic Origin : Non-Hispanic Min. Height : 5'03" Max. Height : 5'03" Min. Weight : 210 lbs Max. Weight : 210 lbs Adult/Juvenile : Adult				

P E R S O N 11	Person Type Person Reporting	Business/Person Name Paula Hayward			Business Phone
	Home Phone	Person Address			Map Reference
	Other Phone	Employer Address			Map Reference
	Race White	Sex Female	SSN	DL Exp. Date	DL Number
	Birth Date	Birth Location			
	Age : Occupation : CPS Unit Supervisor Ethnic Origin : Non-Hispanic Adult/Juvenile : Adult Misc. Number : X4201 Employer : Child Protective services				

P E R S O N 12	Person Type Person Reporting	Business/Person Name Alicia Waskiewicz			Business Phone
	Home Phone	Person Address			Map Reference
	Other Phone	Employer Address			Map Reference
	Race White	Sex Female	SSN	DL Exp. Date	DL Number
	Birth Date	Birth Location			
	Occupation : CPS specialist III Ethnic Origin : Non-Hispanic Adult/Juvenile : Adult Misc. Number : X13031 Employer : Child protective services				

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Topic

ORIGINAL NARRATIVE

Synopsis:

V1 [REDACTED] alleges that S1 Richard "Rick" Murphy has repeatedly molested him by touching his genitals on numerous occasions at 15 [REDACTED] N 91st Ln. These allegations were brought forward by CPS on 02/18/11. The details of this case are described below.

Narrative:

On 02/18/11 at about 1645 hrs I made telephonic contact with CPS Unit Supervisor Paula Hayward in reference to a call for service of possible sexual abuse occurring at 15 [REDACTED] N 91st LN, Peoria, Arizona. Paula advised me that she is a Child Protective Services (CPS) Unit Supervisor with the Arizona Department of Economic Security, Administration for Children, Youth and Families and had received a report from a caseworker (unable to get caseworker info per CPS protocol) at about 1530hrs that had gone to 15 [REDACTED] N 91st Ln on 02/18/11 (1430hrs) to perform a home visit on behalf of V1 [REDACTED]. Paula added that the report stated that during the home visit [REDACTED] had disclosed to the caseworker that his foster father (S1 Richard Murphy) had repeatedly touched his genitals with his hand inside the residence. Paula added that per the report the molestation started around 01/01/11 (new years day) and continues on every other day. Paula added that [REDACTED] resides at the residence with S1 Richard Murphy and Penny Murphy who are currently caring for him as foster parents. Paula added that there are four (04) other foster children residing at the residence as well [REDACTED] under Richard and Penny's care. I next asked Paula if CPS planned on removing all children from the residence later in the evening, to which she advised that she had already scheduled for a CPS after hours investigation team (AHIT) to respond to the residence and remove all children from the home and conduct an initial investigation. Paula advised me that she would have the CPS after hours investigation team contact the Peoria Police Department prior to going to the residence. After concluding my phone conversation with Paula, I notified the on duty south patrol supervisor (Sgt. Scheideman) and apprised him of the situation. Sgt Scheideman advised me that he would be contacting the Peoria PD SVU Detective Sgt to determine if their immediate response would be needed. After several minutes I was contacted by Sgt Scheideman via phone and advised that SVU Detectives would not be responding to the residence and for me to gather initial statements from both V1 [REDACTED] and S1 Richard Murphy if possible.

At about 2000hrs this date I responded to the Quick Trip (QT) located at N 88th av and W Thunderbird Rd to meet with the CPS after hours investigation team. Upon my arrival, I was met by CPS specialist III Alicia Waskiewicz. Alicia advised me that she had received the case from CPS Unit Supervisor Paula Hayward and will be removing all children from the residence based on the allegations made by V1 [REDACTED]. I asked Alicia if she had any further information about the victim and if she was aware of any other allegations made against S1 Richard Murphy. Alicia advised me that [REDACTED] was placed in the listed residence in June 2010 from another foster residence in [REDACTED]. She added that [REDACTED] was currently on an IEP (enhanced education program) at school (unknown where he attends school) and has demonstrated aggressive/disruptive behavior in both the current and former foster homes. Alicia added that she was unaware of [REDACTED] being diagnosed with any [REDACTED]. I advised Alicia that I planned on trying to gather initial statements from both V1 [REDACTED] and S1 Richard Murphy at the residence and was advised by her that she planned on conducting a preliminary investigation as well prior to the child removal that would be brief in nature.

At about 2020hrs myself, CPS specialist Alicia Waskiewicz and PO B. Hiatt arrived at the residence.

Reporting Officer ROBERT MILLER [REDACTED]	Department PEORIA POLICE DEPARTMENT	Report Status: Approved
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Upon reaching the front of the residence I began to record the contact using my department issued PUMA audio recorder. After knocking on the door, I was greeted at the door by Penny Murphy. Penny invited us into the residence and led us to the living room area where S1 Richard Murphy was currently seated on the couch. CPS specialist Alicia Waskiewicz advised both Richard and Penny that CPS was currently investigating a complaint of sexual abuse/molestation of child at this residence and that due to the nature of this complaint all children would be removed at this time and be placed in the care of Child Protective Services. After Alicia finished her advisement I asked Penny if I could speak with her about the complaint in a private area. Penny agreed and accompanied me in the kitchen which is located west of the living. Once Penny was seated, I began to interview her (2100hrs). I first asked Penny if she knew the basis for the complaint to which she replied "no". I next asked Penny if she has noticed any differences in the behavior of the children in the house towards either her or Richard. Penny stated that there was change in any of the children towards either her or Richard and that she was unaware of any sexual allegations from the children towards either her or Richard. I concluded my interview with Penny and next requested to speak with Richard.

At about 2110hrs Richard accompanied me to the kitchen and I began my interview. I advised Richard that CPS and the Peoria Police Department are currently investigating a claim of sexual abuse/molestation at his [REDACTED] which was brought to light by a report from CPS. I asked Richard if he was aware of any circumstances or incidents that would cause this complaint, to which he advised he did not and was surprised by the allegations. I next asked Richard if he and Penny were married and how long they have been foster parents. Richard advised me that he and Penny have been married for approximately ten years and they have been foster parents since 2005 and have had twenty five children that they have cared for and lived with them since that time. I next asked Richard if there has been any other complaints against either him or Penny during their time as foster parents that have caused CPS and the police to conduct an investigation. Richard advised me that in 2008 while living at 13265 N 73 Av there was a complaint investigated by the Peoria Police Department and CPS against he and Penny for a child that was living with [REDACTED]

[REDACTED] Richard added that the [REDACTED] was discovered to be a skin condition and the complaint was cleared. I next asked Richard who the primary caregiver is for all the children at the residence. Richard advised me that Penny is the main caregiver. Richard added that he works during the week in Phoenix and there will be several days that go by where his interaction with the children is minimal at best due to his schedule. I next asked Richard how his relationship is with the children at the residence. Richard advised that he has a good relationship with the kids and that they look to him as their father, especially the girls. Richard added that the youngest child at the home [REDACTED] views he and Penny as her parents and that she is very attached to him to the point that she will follow him around the house quite regularly. I next asked Richard if he was aware of any of the children currently residing at the house ever making sexual allegations against any of their previous foster parents. Richard advised me that [REDACTED] had made an allegation in his previous foster home in [REDACTED] that the foster mother was having a [REDACTED]

[REDACTED] Richard added that [REDACTED] had alerted his caseworker of the situation and he believes that CPS conducted an investigation into the matter. I next asked him if he was aware of the outcome of the investigation by CPS to which he replied that he believed that it was unfounded. Richard added that he believed that the investigation was what caused [REDACTED] to be placed at their home. Richard further added that he filed a police report with the Peoria Police Department in September 2010 for a prior foster child that resided at the residence having a sexual relationship with his adopted daughter [REDACTED] who also currently lives at the residence. I next asked Richard how each child was doing in school and if there

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was any issues. Richard advised that the other children were performing well in school. When Richard reached the point of talking about [REDACTED] in the school question he stated that [REDACTED] was having some issues with school and that he only excels with subjects that he has an interest in and that they have been contacted a few times by the school about him being disruptive in class. I next asked Richard how the kids at the residence are with each other. Richard added that the [REDACTED] at the house are very close and that three of them are sisters. Richard added that [REDACTED] has had issues with the other children at the home since moving in in June 2010 and he seems to "push" them to the point where physical fights could insue. Richard next asked me if I could disclose who the allegation was made against, to which I advised him that he was the subject of the investigation currently and that I could not release to him any further details. Richard stated he understood that I could not provide him with any further information and did not ask any further questions pertaining to the case.

After concluding my interview with Richard I once again returned to the livingroom and met up with PO Hiatt. At this point I was advised by PO Hiatt that while I was interviewing Richard in the kitchen, CPS specialist Alicia Waskiewicz had separated V1 [REDACTED] from the rest of the children and had spoken to him about the incident. After learning of this victim interview by CPS not in police presence it was determined that in the best interest of the case I would not re-interview [REDACTED]. I next asked PO Hiatt to contact Sgt Scheideman and advise him of the current status of the investigation. At about 2245 hrs Peoria PD SVU Detective Shearer [REDACTED] arrived onscene, spoke with CPS specialist Waskiewicz and determined that an interview with V1 [REDACTED] will be conducted at a later date and time.

I next spoke with CPS specialist Waskiewicz and asked her what [REDACTED] had told her. She stated that [REDACTED] advised her that S1 Richard Murphy had been touching his genitals with his hand every other day since new years day. Waskiewicz added that [REDACTED] further stated that the last occurrence was on monday and that Richard had stated to him "I know how to make you feel good" and placed his hand down the front of his jeans, fondled his genitalia and offered to buy him a bicycle if he kept quiet about the incident. CPS Specialist Waskiewicz further stated that her interview with [REDACTED] was brief. CPS specialist Waskiewicz added after speaking with [REDACTED] she realized that there were two additional children residing at the home [REDACTED] that had not been reported to her initially when assigned the case. CPS specialist Waskiewicz stated that the additional children will as well be removed due to this investigation and arranged for them to stay with their adopted grandmother, Barbara Murphy at her listed address.

At about 2315 hrs CPS Specialist Waskiewicz removed all the children from the residence and took physical control and care for them as a legal representative for Child Protective Services. All children including V1 [REDACTED] (residing with grandmother) will reside at [REDACTED] until completion of the CPS investigation. Upon exiting the residence and completing my portion of this investigation I discontinued audio recording the encounter.

Related CPS case number for this investigation [REDACTED]

This case is rendered pending to Peoria PD SVU.

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VICTIM REQUEST FOR, OR WAIVER OF, PRE-CONVICTION AND / OR PRE-ADJUDICATION RIGHTS

This form opts you in as a victim because there is probable cause that a crime has been committed against you.

Please keep this form for future reference regarding your case.

1

<<FORM USE>>

☒ Initial Contact☐ By Phone/Mail

DATE:

☐ Victim-Initiated Change(s)☐ In Person

02/18/11

2

<<CASE IDENTIFYING INFORMATION>>

REPORTING AGENCY: PEARLA PD Phone #: 623-773-8311Reporting Officer(s): PO R MILLER Complaint/Report/Citation #: 11-002304Location: 1900 N 91ST LN Report/Citation Date/Time: 02/18/11 1645Offense/Type of Crime: MOLESTATION OF CHILD / DV☒ Felony ☐ Misdemeanor ☒ Domestic Violence Issue

3

<<ARREST / DETENTION STATUS>>

☒ SUSPECT NOT IN CUSTODY☐ UNKNOWN ☒ KNOWN☒ ADULT
☐ JUVENILESUSPECT #1
RICHARD MURPHY

SUSPECT #2

If an arrest/detention in this case is made, you will be notified at the earliest opportunity. If you are not notified of an arrest/detention within 30 days, you may obtain case status information by calling the law enforcement agency indicated in Box 2 above.

☐ SUSPECT CITED AND RELEASED / REFERREDADULT ☐ JUVENILE ☐

SUSPECT #1

DOB

SUSPECT #2

DOB

COURT

DATE:

TIME:

If a citation is issued, the accused may appear at any time prior to the date and time shown.

☐ SUSPECT IN CUSTODY - ADULT

INITIAL APPEARANCE:

SUSPECT #1

DOB

SUSPECT #2

DOB

COURT

DATE:

TIME:

CUSTODIAL AGENCY:

The adult suspect in custody will appear in court for an Initial Appearance within 24 hours of arrest.

☐ SUSPECT IN CUSTODY - JUVENILE

DETENTION HEARING:

SUSPECT #1

DOB

SUSPECT #2

DOB

DETENTION CENTER:

The juvenile suspect in custody will appear for a Detention Hearing at the county Juvenile Court or Detention Center within 24 hours of detention, but may be released at any time prior to this hearing.

4

<<VICTIM OR VICTIM'S LAWFUL REPRESENTATIVE>>

A. Who was the crime or offense committed against?

Name: [REDACTED] Birth Date: [REDACTED]

B. Are you the victim or lawful representative? (CHECK BOX THAT APPLIES)

☐ The crime was committed against me. I am the Victim.☒ One of the following applies to me. I am the victim's Lawful Representative. (CHECK ONE)☐ The victim has designated me as his/her lawful representative.☐ The victim is incapacitated or deceased and I am an immediate family member☐ The victim is a legal entity (corporation, partnership or business).☒ The victim is minor child and I am a parent, an immediate family member or legal guardian☐ The victim is a vulnerable adult & I am the legal guardian.Name: PAULA HAYWARD (CPS) DOB: [REDACTED] Relationship CPS UNIT SPVSR
Victim's / Lawful Representative to victim

C. How can you be contacted?

Name: PAULA HAYWARD C/O CHILD PROTECTIVE SERVICESMailing Address: 3221 N 16TH ST Apt: [REDACTED]Home Address (if different): [REDACTED] Apt: [REDACTED]City: PHOENIX State: AZ Zip Code: 85016Telephone: (Home) [REDACTED] (Cell) [REDACTED](Work) 602-264-1360 X 4201 Email: [REDACTED]D. ☒ I REQUEST my rights in this case. OR ☐ I WAIVE (DECLINE) my rights in this case.

I understand that I must keep my mailing address and phone number current with the agency or court responsible for providing my rights. Failure to do so can mean that my right are waived. I also understand in order to make any changes to the information supplied on this form, I must contact the appropriate agency or court.

Victim or Lawful Representative Signature / Date:

☒ MAILED

(FOR REPORTING AGENCY USE ONLY)

☐ REQUEST / WAIVER exception per A.R.S. § 13-4405(B) and § 8-386(B)

NOTES / COMMENTS:

POST-VICTIM-CONTACT

ARREST

NOTIFICATION:

☐ PHONE

DATES / TIMES

☐ MAIL

DATE / TIME

INITIALS

LAW ENFORCEMENT COPY - GREEN

REV. 6/2010